

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE: BARBARA RUTH CRAM

Case No. 2:15-cv-00540-RFB-CWH

ORDER

Presently before the Court is pro se Plaintiff Barbara Ruth Cram's Motion for Extension of Time to Appeal (ECF No. 63), filed on April 20, 2016.

Also before the Court is Plaintiff's Motion for Counsel for Appeal (ECF No. 65), filed on April 25, 2016.

Also before the Court is Plaintiff's Motion to Request Acceptance of Amendment to Objection to Report and Recommendation (ECF No. 67), filed on April 28, 2016.

I. MOTIONS RELATED TO APPEAL (ECF Nos. 63, 65)

On April 7, 2016, Plaintiff filed a notice of appeal (ECF No. 59) of the undersigned's report and recommendation (ECF No. 58) that her case be dismissed with prejudice. The report and recommendation is pending before the United States District Judge assigned to this case. Given that the report and recommendation is still pending, the United States Court of Appeals for the Ninth Circuit dismissed Plaintiff's appeal, stating that it lacks jurisdiction over the appeal because the appeal challenges a report and recommendation that is not final or appealable. (Order (ECF No. 68).) Given that Plaintiff's appeal has been dismissed, the Court will deny her motions to extend time to appeal and her motion for appointment of counsel on appeal as moot.

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II. MOTION RELATED TO REPORT AND RECOMMENDATION (ECF No. 67)

On April 7, 2016, Plaintiff filed an objection (ECF No. 60) to the undersigned's report and recommendation that her case be dismissed. On April 25, 2016, Plaintiff filed an amendment to her objection (ECF No. 66). Although her initial objection was timely, the amendment to her objection was filed more than fourteen days after the entry of the report and recommendation. Plaintiff now requests that the Court accept her amendment to her objection, arguing that she survives on Social Security, that she is disabled and a waif, that she was delayed in filing her amendment due to the cost of copies, that she was having difficulty concentrating on the amendment as a result of being raped, and that she has difficulty writing. (Mot. (ECF No. 67).) In light of the fact Plaintiff is not represented by an attorney and for the reasons stated in her motion, the Court will accept Plaintiff's amendment to her objection.

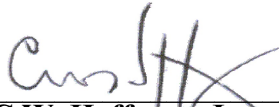
III. CONCLUSION

IT IS THEREFORE ORDERED that Plaintiff Barbara Ruth Cram's Motion for Extension of Time to Appeal (ECF No. 63) is DENIED as moot.

IT IS FURTHER ORDERED that Plaintiff Barbara Ruth Cram's Motion for Counsel for Appeal (ECF No. 65) is DENIED as moot.

IT IS FURTHER ORDERED that Plaintiff Cram's Motion to Request Acceptance of Amendment to Objection to Report and Recommendation (ECF No. 67) is GRANTED.

DATED: June 24, 2016



C.W. Hoffman, Jr.
United States Magistrate Judge